

REMARKS

The application includes claims 1-14 prior to entering this amendment.

The examiner objects to claims 1-14 because of informalities.

The examiner rejects claims 5-8 under 35 U.S.C. § 102(e) as being anticipated by the applicants' admitted prior art.

The examiner rejects claim 9 under 35 U.S.C. § 102(e) as being anticipated by Kitamura, et al. (U.S. Patent No. 6,747,765).

The applicants amend independent claims 1, 5, 9, 10, and 13, and amend dependent claims 4, 6-8, and 12 at least in part for consistency with their respective amended independent claim.

The applicants add new claims 15-26, including new independent claims 18 and 21.

The application remains with claims 1-26 after entering this amendment.

The applicants add no new matter and request reconsideration in view of the following remarks. The applicants point out that the claimed subject matter may be patentably distinguished from the cited reference(s) for multiple reasons; however, the following remarks are believed to be sufficient. Likewise, it is noted that the applicants' failure to comment directly upon any of the positions asserted by the Examiner in the office action does not indicate agreement or acquiescence with those asserted positions.

Claim Objections

The examiner objects to claims 1-14 for informalities. The applicants thank the examiner for pointing out these informalities, and amend these claims to, at least in part, correct or remove the indicated informalities.

The applicants' would also like to thank the examiner for indicating that claims 1-4 and 10-14 "would be allowable if rewritten or amended to overcome the objection(s)".¹ The informalities in claims 1-4 and 10-14 have been corrected. Accordingly, these claims are in condition for allowance.

¹ Office Action, page 5.

Claim Rejections - 35 U.S.C. § 102

The examiner rejects claims 5-8 as being anticipated by the applicants' admitted prior art. The applicants traverse the rejection for the reasons that follow. Claim 5 recites:

providing a scattering light source mounted on the scanning head, wherein a length of the scattering light source is smaller than a length of a window on the platform along a direction perpendicular to the scanning direction;

The rejection of claim 5 relies on the examiner's statement that a "scattering light source (lamp 112) mounted on the scanning head (110) is provided."² Respectfully, this feature is not present in the applicants' "Description of Related Art".³ The "Description of Related Art" section of the application does not teach or suggest "providing a scattering light source mounted on the scanning head" (emphasis added) as recited in claim 5.. Additionally, the applicants' have amended claim 5 to more clearly point out and distinctly claim what the applicants regard as the invention of claim 5, and not for any other reason. The element reciting that "a length of the scattering light source is smaller than a length of a window on the platform along a direction perpendicular to the scanning direction" is not present in the applicants' "Description of Related Art," which indicates that the "length of the lamp 112 and the reflecting mirrors 114 are designed according to size of the scanning window (maximum size of scan document) on the scanning platform 106. Thus, length of the lamp 112 cannot be reduced."⁴

Accordingly, for at least this reason, the applicants' "Description of Related Art" does not teach all of the elements of claim 5, and this claim is in condition for allowance. As dependent claims 6-8 incorporate all of the elements of independent claim 5, and for at least this reason the applicants also traverse their rejection.

The examiner rejects claim 9 as being anticipated by Kitamura. The applicants traverse the rejection for the reasons that follow. Claim 9 recites (emphasis added):

² Office Action, page 3.

³ Application as filed, paragraphs [002] – [008].

⁴ Application as filed, paragraph [006].

an outer casing having an opening section and supporting surfaces below the opening section, the opening section having a circumference defining an area of the opening section; and

a platform having a peripheral edge forming an area of the platform, at least a portion of the peripheral edge being supported by the supporting surfaces, wherein an area of the platform is at least approximately identical to the area of the opening section.

The rejection of claim 9 relies on Kitamura disclosing “an outer casing and a platform for a scanner, comprising an outer casing (shown in Fig. 1) having an opening section (see top part of Fig. 1), wherein lower edges of the opening section have supporting surfaces, and a platform (202) on the supporting surfaces, wherein an area of the platform (202) is identical to an area of the opening section.”⁵ The applicants point out that Kitamura’s Fig. 1 shows a noticeable gap between Kitamura’s support glass 202 and what would appear to be Kitamura’s outer casing. The applicants’ claim 9 requires that “an area of the platform is at least approximately identical to the area of the opening section”. Furthermore, Kitamura does not appear to discuss an outer casing (or enclosure), or to discuss any relationship between such an outer casing and a platform. (There does not even appear to be a reference ID in Kitamura’s Fig. 1 for the outer casing.)

Accordingly, Kitamura does not teach all of the features of claim 9, and for at least this reason, claim 9 is in condition for allowance.

Remarks Regarding New Claims

Claims 15-17 are new, dependent claims, depending on claim 9, and for at least this reason, claims 15-17 are also in condition for allowance.

The applicants’ respectfully point out that new independent claims 18 and 21 each include features similar to those discussed above with reference to claim 5 and/or features similar to those of claims 1, 10, and 13, and for at least these reasons, claims 18 and 21 are in condition for allowance..

The remaining new claims 19-20 and 22-26 depend from claims 18 and 21 respectively, and for at least this reason are also in condition for allowance.

Conclusion

For the foregoing reasons, the applicants request reconsideration and allowance of the remaining claims. The applicants encourage the examiner to telephone the undersigned at (503)224-2170 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

STOLOWITZ FORD COWGER LLP



Stephen S. Ford
Reg. No. 35,139

STOLOWITZ FORD COWGER LLP
621 SW Morrison Street, Suite 600
Portland, OR 97205
(503) 224-2170

Customer No. 73552

⁵ Office Action, page 4.